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Packet No. A-69199-1/DJB/JJD/AMS

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Class: Subclass:

TYPED NAME Mark Rancifer

Prior Application:

SIGNED

Mark Rancifer

Examiner:

Art Unit:

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

JC903 U.S. PTO  
09/847046  
04/30/01

Sir:

This is a request for filing an

- Original  
 Continuation  
 Divisional  
 Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Peter Hevezi, David Mack,  
Kurt C. Gish, Keith E. Wilson, for NOVEL METHODS OF DIAGNOSIS OF PROSTATE CANCER  
AND/OR BREAST CANCER, COMPOSITIONS, AND METHODS OF SCREENING FOR PROSTATE CANCER  
AND/OR BREAST CANCER MODULATORS of Invention). This \_\_\_\_\_ continuation \_\_\_\_\_  
divisional  continuation-in-part claims priority to pending application  
Serial No. 09/733,288, filed on December 8, 2000, which is a continuing  
application of Application No. 09/687,576, filed October 13, 2000.

1. (a)  Enclosed is a new application.
- (b)  Enclosed is a continuation-in-part application.
- (c)  Enclosed is a copy of the prior application.

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Form 1.16b (8069)

02/01

2. (a)  Enclosed is a new Declaration.  
(b)  Enclosed is a copy of the prior executed Declaration as originally filed.  
(c)  Enclosed is a Combined Declaration/Power of Attorney.

3.  Applicant claims small entity status. See 37 CFR 1.27.

4.  The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

FOR:	(Col. 1) <u>NO. FILED</u>	(Col. 2) <u>NO. EXTRA</u>	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
			RATE	FEE	OR	RATE
BASIC FEE			\$355			\$710
TOTAL CLAIMS	-20	= * _____	x 9 = \$ _____	OR	x 18 = \$ _____	
INDEP CLAIMS	-3	= * _____	x 40 = \$ _____	OR	x 80 = \$ _____	
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 = \$ _____	OR	+270 = \$ _____	
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL \$ _____	OR	TOTAL \$ _____	

5.  The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-69199-1/DJB/JJD/AMS).

6.  The filing fee is **not** enclosed.

7.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8.  Amend the specification by inserting before the first line the sentence:

9. (a) X Informal drawings are enclosed, 3 sheets.  
(b) \_\_\_\_\_ Formal drawings are enclosed, \_\_\_\_\_ sheets.
10. (a) \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(b) \_\_\_\_\_ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11. \_\_\_\_\_ An Assignment is enclosed.
12. X The prior application is assigned of record to EOS BIOTECHNOLOGY, INC.
13. \_\_\_\_\_ A Power of Attorney by Assignee is enclosed.
14. X The power of attorney in the prior application is to:  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT, LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187
- (a) X The power appears in the original papers in the prior application.  
(b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
(c) X Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

15. \_\_\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. \_\_\_\_\_ A Prior Art Statement is enclosed.

17. \_\_\_\_\_ I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

Date: 4/30/01

David J. Brezner  
David J. Brezner  
(Reg. No. 24,774)

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